

REMARKS

The present amendment is submitted in response to the Office Action dated April 21, 2003, which set a three-month period for response, making this amendment due by July 21, 2003.

Claims 1-11 are pending in this application.

In the Office Action, the specification was objected to for an informality. The drawings were objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims, namely, the "combustion chamber". Claims 1-11 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-2 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,877,584 to Kato et al. Claims 1-2 stand further rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,122,366 to von Stutterheim.

The Applicants note with appreciation the indicated allowability of claims 3-7, if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include the limitations of the base claim and any intervening claims.

The Applicants also note the allowability of claims 8-11, if amended to overcome the rejections under 35 U.S.C. 112, second paragraph.

Turning first to the objection to the drawings, claims 1 and 8 have been amended so that the "combustion chamber" is not positively claimed as part of the invention. As defined in the claims and described in the specification, the

present invention relates to a "spark plug" for an internal combustion engine with a combustion chamber. Thus, the Applicants respectfully submit that specific illustration of the combustion chamber, which is not part of the claimed invention, is not necessary for an understanding of the spark plug of the present invention.

With regard to the objection to the specification, the Applicants have amended to the abstract to combine the two paragraphs into one paragraph and to delete portions of the abstract to conform to the 150 word limitation.

In view of the allowance of claims 3-7, the Applicants have added new claim 12, which combines claim 1 with allowable claim 3.

Regarding the rejection of the claims under 35 U.S.C. 112, second paragraph, the claims have been amended to correct the noted instances and other instances of arguably indefinite claim language.

Turning now to the substantive rejection of claims 1-2, claim 1 has been amended to define that the diameter of the end face (51) of the electrode base body oriented toward the combustion chamber corresponds to a diameter of a planar end face (84) of the precious metal platelet oriented away from the combustion chamber.

The Applicants respectfully submit that the present invention as defined in amended claim 1 defines a patentably distinct set of features neither shown nor suggested by the cited references.

The patent to Kato describes a spark plug with a middle electrode, which has an electrode base body and a precious metal platelet. The precious metal platelet is connected with the electrode base body by means of a welded

connection. Before welding of the electrode base body and the precious metal platelet, the precious metal platelet has a cylindrical shape (see column 4, line 55: disc shaped), while the end section of the electrode base body is formed partially in a truncated cone form. By means of the welding process, a ring-shaped, round welding seam 51 is formed between the electrode base body and the precious metal platelet.

From Figure 2 of Kato, it can be seen that merely the outer surface of this round welding seam, like the outer surface, is formed as a truncated cone. The round welding seam, however, has no face surface in the sense of claim 1 of the present application. Likewise, the precious metal platelet is formed as a truncated cone. Before the welding process, the precious metal platelet is cylindrical and after the welding process, the precious metal platelet has a cylindrical section, which tapers to the side facing away from the combustion chamber in the region of the round welding seam.

Also, if one views the round welding seam and the precious metal platelet as a common element, this element does not have the form of a truncated cone. Thus, it must be noted that the outer contour in Figure 2 designated by the Examiner in the Office Action does not correspond to the form of the electrode base body and the precious metal platelet in the interior of the middle electrode, which can also be clearly seen from the sectional representation on the left side of Figure 2. Thus, the Kato reference fails to show a truncated-cone shaped precious metal platelet.

Yes, 5:33 has it

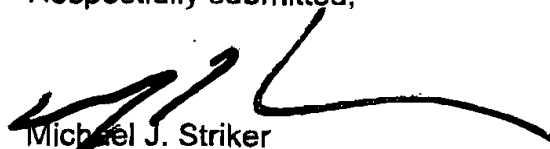
The Stutterheim patent shows a middle electrode with an electrode base body 3 and a precious metal platelet 4. The electrode base body is formed on its end facing toward the combustion chamber as a truncated cone. On the end of the electrode base body facing toward the combustion chamber, a precious metal platelet is provided, which overlaps the face surface and at least partially, the outer surface of the electrode base body. The precious metal platelet is formed, therefore, as a cap 4 and does not have a truncated cone shape. Likewise, the precious metal platelet has face surface that faces away from the combustion chamber.

Thus, the Applicants respectfully submit that neither of the cited references discloses the combination of references defined in claim 1 of the present application. As a result, neither of these references can be seen as anticipating the present invention. The Applicants therefore respectfully request withdrawal of the rejection of claims 1 and 2 and reconsideration of the application as herein amended.

In light of the foregoing arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Striker', with a long horizontal flourish extending to the right.

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